

Appendix H

LAND MANAGEMENT ALTERNATIVES

The responsible management of public property in this era of fiscal limitations requires the consideration of alternative methods of managing property. The Department is actively evaluating different ways of doing business that may result in operational and cost efficiencies. Such alternatives may also facilitate the establishment of services and recreation facilities that otherwise would not exist. Land management alternatives should be considered for both the restoration of habitat and for the long-term management of habitat areas.

❖ **Alternatives to Support Restoration**

Achieving the Goals of this Plan may involve the acquisition of additional flood-prone property to address the impacts of habitat fragmentation, as discussed in Chapter III of this Plan. These acquisitions may fill gaps in concentrations of permanent habitat, add continuity to migration corridors or increase the ratio of interior area. This property, sold at the election of willing sellers, may contain areas of producing orchards or other investments in agricultural production. It may be desirable to maintain agricultural use for a period of time to maintain support to the local agricultural economy and provide for a smooth transition to habitat conservation use. This time period may also coincide with the timing required for the funding of restoration activities. During this interim period it is important that the property receives appropriate agricultural management and that any returns that accrue during this period be channeled toward the restoration of the property into viable riparian habitat.

The USFWS has executed agreements for management of property in the SRNWR for similar purposes and this practice provides some indication of how an outside management agreement might benefit the Wildlife Area. The laws of the State of California would permit the lease of Department property to a qualified land manager for the enhancement of the habitat and achieving the purposes for which the property was acquired. This is a relatively common practice on the part of public conservation agencies and the Department has executed leases for property management in other areas of the State. Two potential statutory vehicles have been identified for the leasing of Department property.

USFWS Cooperative Land Management Agreements

The USFWS has acquired property for riparian habitat preservation as part of their efforts to meet the conservation goals for the SRNWR. A substantial portion of this property was converted from riparian habitat in the past and at the time of acquisition it was in agricultural use. These lands were all acquired from willing sellers who chose to sell their properties to the USFWS rather than continue to farm in flood prone areas. The USFWS has executed Cooperative Land Management Agreements with nonprofit entities to manage property and to plan and execute the appropriate restoration of the properties to riparian habitat.

Two nonprofit entities currently manage property for the USFWS in the SRNWR (TNC and River Partners). These entities have significant expertise in both land management and restoration of land to its riparian habitat potential. These two

entities work with the local agricultural community to lease these areas for agricultural production for an interim period of time. Such contractual agreements have been utilized since the mid 1990's and they appear to be a practical and efficient way to meet the needs of the USFWS. The statutes of the State of California do not provide for this exact mechanism, but similar objectives may be achieved through the lease of property.

State Lease Option No. 1

Government Code Section 14670 authorizes the Department of General Services to lease State lands for fair market value if such leasing is in the best interest of the State. This option requires that the following standards apply to such leases:

- The leaseholder would need to demonstrate that the total benefit received to the State, the value of funds spent and services provided to manage, plan and restore the Department property, is equal to the fair market value of the leasehold interest.
- Any funds received through the State's lease would be deposited in the State's General Fund. The potential for a lessee to use sublease revenues directly for habitat restoration purposes needs to be clarified.
- A lease for a Wildlife Area would require that the lessee pay local property taxes and assessments.
- The Department of General Services would approve the lease.

State Lease Option No. 2

Section 1348 of the Fish and Game Code authorizes the leasing of Department lands to implement either the Wildlife Conservation Law of 1947 or the California Riparian Habitat Conservation Program. Such leases would appear to meet the established State policy "to acquire and restore to the highest possible level, and maintain in a state of high productivity, those areas that can most successfully be used to sustain wildlife and which will provide adequate and suitable recreation" (Fish and Game Code, §1301). This option requires that the following standards apply to such leases:

- The leaseholder would need to demonstrate that it would restore the land to "highest possible wildlife value and maintain the real property at that highest possible wildlife value."
- Any funds received through the lease would be deposited in the State's Wildlife Restoration Fund. The potential for a lessee to use sublease revenues directly for habitat restoration purposes needs to be clarified.
- A lease for a Wildlife Area would require that the lessee pay local property taxes and assessments.

The leasing of portions of the Wildlife Area for management and restoration is an option that the Department may choose to pursue if an appropriate situation presents itself. Additional management expertise would be available without either direct cost or the need to establish a permanent staff capacity for this purpose. Further evaluation of the two identified alternatives and specific lease format would be required.

❖ Alternatives for Ongoing Management

Long term management of portions of the Wildlife Area by other entities may prove to be efficient for the Department and beneficial to the public. Possible managers could include other public agencies as well as private, nonprofit corporations. Management of portions of the Wildlife Area by other entities could offer efficiencies due to locational advantages and the availability of specific expertise. The preceding discussion of the USFWS's Cooperative Land Management Agreement and the potential for lease of DFG property are illustrative of the kind of arrangements that might also be utilized for ongoing management.

Management Agreements with Other Public Agencies

The Wildlife Area is spatially disconnected and spread over a seventy-mile reach of the Sacramento River. This disconnected pattern is a function of acquiring property only from willing sellers and from a focus on areas with high habitat value. Certain portions of the Wildlife Area are adjacent to larger areas that are managed by DPR and USFWS. These agencies have habitat conservation objectives that are substantially consistent with those of the Department. They also have a strong management and maintenance presence; DPR near its three recreation areas and USFWS in the entire river corridor. The transfer of responsibility for management of Wildlife Area property, either by agreement or by fee title transfer, may result in overall cost effectiveness without loss of benefit to the fish, wildlife or the recreation users of the particular area. Correspondingly, it may prove efficient for the Department to accept management responsibility for isolated areas of land, which are adjacent to the Wildlife Area but now managed by other agencies.

Management Agreements with Nonprofit Corporations

Nonprofit corporations that have a mission to conserve habitat and support public recreation use may also be effective managers for Department property. Such entities typically have significant science and research capabilities and have established property maintenance functions. They also typically share a similar Ecosystem Approach to habitat management of riparian areas. The private sector management of Wildlife Area property, by lease or contract, is an option that the Department may wish to evaluate. Contractual property management has been used successfully by the Department and by other public agencies.

Operating Agreements with Local governmental Agencies

The Department currently has an Operating Agreement with Glenn County for the Site 21 fishing access. The twenty-five year agreement provides for development and maintenance of a portion of the Princeton-North Subunit. The existing improvements include a parking area, a trash receptacle and a primitive pathway to the river. The Agreement provides for other possible improvements in the future. This type of agreement could be applicable to boat ramps and other facilities that are beyond the normal scope of Department improvements to wildlife areas. The operating agreement is a tool that could result in the installation of additional improvements that would serve the public recreation demand and also help generate local economic activity.